

ASSEMBLY BILL

No. 390

Introduced by Assembly Member Montanez

February 14, 2003

An act to add Section 41514.1 to the Health and Safety Code, relating to air resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 390, as introduced, Montanez. Hospitals: backup generators.

Existing law designates air pollution control districts and air quality management districts as having the primary responsibility for the control of air pollution from all sources other than vehicular sources and, subject to the powers and duties of the State Air Resources Board, requires that districts adopt and enforce rules and regulations to achieve and maintain the state and federal ambient air quality standards in all areas affected by emission sources under their jurisdiction. Existing law authorizes each district to establish a permit system that requires, except as specified, that before any person builds, erects, alters, replaces, operates, or uses any article, machine, equipment, or other contrivance that may cause the issuance of air contaminants, the person obtain a permit from the air pollution control officer of the district.

Under existing law, the State Department of Health Services regulates health facilities, including general acute care hospitals.

This bill would require a general acute care hospital to test its diesel powered backup generator as prescribed. This bill would require a general acute care hospital to submit this data annually to the department.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 41514.1 is added to the Health and Safety Code, to read:

41514.1. (a) A general acute care hospital, as defined under subdivision (a) of Section 1250, shall test its diesel backup generator 12 times a year with testing intervals of not less than 20 days and not more than 40 days. These tests shall be conducted for at least 30 continuous minutes under a dynamic load that is at least 30 percent of the nameplate amperage rating of the generator.

A general acute care hospital shall also test the automatic transfer switches for its diesel generator 12 times a year with testing intervals of not less than 20 days and not more than 40 days.

(b) A general acute care hospital may test its diesel backup generator less than 30 percent of the amperage rating contained on the diesel backup generator's nameplate. If a general acute care hospital tests its diesel backup generator less than 30 percent of the amperage rating contained on the diesel backup generator's nameplate, the hospital shall revise the existing documented management plan to conform with the National Fire Protection Association 99: Standard for Health Care Facilities, 2002 edition, and the National Fire Protection Association 110: Standard for Emergency and Standby Power Systems, 2002 edition, testing and maintenance activities. These activities shall include inspection procedures for assessing the prime mover's exhaust gas temperature against the minimum temperature recommended by the manufacturer.

(c) A diesel powered backup generator at a general acute care hospital that does not meet the minimum exhaust gas temperatures during testing shall be exercised for 30 continuous minutes at intervals described in subdivision (a) with available emergency power supply systems load and tested annually with supplemental loads of all of the following in the following order for a total of two continuous hours:

- (1) Twenty-five percent of nameplate rating for 30 minutes.
- (2) Fifty percent of nameplate rating for 30 minutes.
- (3) Seventy-five percent of nameplate rating for 60 minutes.

1 (d) A general acute care hospital shall submit all data collected
2 under this section annually to the State Department of Health
3 Services.

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